APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,091	10/02/2000	SATOSHI OHTA	35.C14852	4868

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EXAMINER
PHAM, THIERRY L

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-60* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-60* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

    1.☒ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>5</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Responsive to Unsigned Declaration has been received/acknowledged and entered as paper no. 3.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Mori (U.S. 6089765).

Regarding claim 1, Mori discloses a print server (computer 20 also serves as a print server, fig. 1, col. 2, lines 56-67, col. 3, lines 60-67 to col. 4, lines 1-15 and col. 11, lines 18-31) apparatus capable of receiving a print job to be printed from an information processing apparatus (computer 20, fig. 1) through a network (network 60, fig. 1), the printer server apparatus comprising:

(1) reservation job management means (print data memory 44 for storing print data for a period of time, job management table 1, fig. 2, col. 4, lines 4-65, the print data is deleted after the reservation time is expired, col. 4, lines 4-65) for storing, in a memory, reservation job data prepared by uniting print data to be printed by a printing apparatus (printer, fig. 1) and print job information (print job information table 1, col. 4, lines 40-50), received from said information processing apparatus (computer 20, fig. 1), and managing said reservation job data (print data memory 44 stores reserved print data, col. 4, lines 4-66) even after completion of the printing process by said printing apparatus (the print data also remains in the storage device 44 even after the printing is completed, col. 4, lines 4-66); and

(2) output control means (CPU, fig. 3) for outputting the reservation job data managed by said reservation job management means to the exterior (outputting the reserved data to the printer upon receiving the re-print request from the client, col. 4, lines 4-15 and col. 5, lines 38-50), according to a request for re-printing (col. 4, lines 4-15 and col. 5, lines 38-50) received from said information processing apparatus.

Regarding claim 2, Mori further discloses a print server apparatus according to claim 1, wherein said reservation job management means is adapted to reserve the reservation job data transmitted from said information processing apparatus for a designated period (reserving the print data for certain amount of time, col. 4, lines 30-65) and to delete said reservation job data from said memory after the lapse of said designated period (deleting the print data after the reserved time is expired, col. 4, lines 56-67 and col. 7, lines 48-67).

Regarding claim 3, Mori further discloses a print server apparatus according to claim 1, further comprising discrimination means (CPU 21, fig. 3) for discriminating whether the management of said reservation job data by said reservation job management means is possible (CPU 21 of computer 20 determines whether the new print data can be store in the storage device, col. 6, lines 58-67 to col. 7, lines 1-16), in response to a request for reservation from said information processing apparatus; wherein said reservation job management means executes reservation and management of said reservation job data in case said discrimination means identifies that the management of said reservation job data is possible (col. 6, lines 58-67 to col. 7, lines 1-16).

Regarding claim 4, Mori further discloses a print server apparatus according to claim 3, wherein, in case said discrimination means identifies that the management of said reservation job data is not possible (the storage device is full, col. 6, lines 58-67 to col. 7, lines 1-15), said reservation job management means registers and manages the print job ID and the reservation job size (job name and its capacity, table 1, col. 4, lines 50-67), requested for reservation, in a reservation waiting list (if the capacity of storage device is full, the CPU 21 of computer 20 deletes the oldest print data and/or the print data with retention period is expired to allocate

memory space; therefore, a waiting list is not necessary, col. 4, lines 55-67 to col. 5, lines 1-38 and col. 6, lines 58-67 to col. 7, lines 1-15).

Regarding claim 5, Mori further discloses a print server apparatus according to claim 4, further comprising detection means for detecting a registerable print job ID by comparing the available capacity of said memory with the reservation job sizes registered in said reservation waiting list (comparing print job sizes with memory storage device capacity, col. 4, lines 55-67 to col. 5, lines 1-38 and col. 6, lines 58-67 to col. 7, lines 1-15).

Regarding claims 6-7, Mori further discloses a print server apparatus according to claim 1, wherein said reservation job management means manages print data of a device-dependent data format and intermediate data of a device-independent data format (it is known in the art that the print server of Mori can stores different print formats, such as PDF, EMF, RAW data, JPEG, and etc.); and in case the location of printing indicated by a re-print request received from said information processing apparatus is a printing apparatus of a type same as that of the printing apparatus executing the original printing, said output control means outputs the device-dependent print data managed by said reservation job management means to the exterior, but in case the location of printing indicated by re-print request received from said information processing apparatus is a printing apparatus of a type different from that of the printing apparatus executing the original printing, said output control means outputs the device-independent intermediate data managed by said reservation job management means to the exterior (it is known in the art that the print server of Mori can stores different print formats, such as PDF, EMF, RAW data, JPEG, and etc., and the printers of Mori also can also print different print data formats, col. 4, lines 4-67).

Regarding claim 8, Mori discloses an information processing apparatus (computer 20, fig. 1) for generating print data to be printed by a printing apparatus through a network (network 60, fig. 1), the information processing apparatus comprising:

(1) print data generation means (computer 20 generates the print data using via application program, fig. 2) for generating the print data to be printed by said printing apparatus (printer 10, fig. 1);

(2) reservation data generation means (computer 20 generates the reservation time (i.e., delete time of table 4, col. 4, lines 26-67) for generating reservation job data consisting of said print data and print job information based on said print data and to be reserved after the completion of the printing process of said print data by said printing apparatus (the print data also remains in the storage device 44 even after the printing is completed, col. 4, lines 4-66); and

(3) transmission control means (a cable connecting to a network 60, fig. 1) for transmitting the reservation job data, generated by said reservation data generation means, to a print job management apparatus through the network (network 60 incorporated a print server, fig. 1, col. 2, lines 42-67, and one of the computer 20 of fig. 1 can be served as a print server, col. 11, lines 17-32).

Regarding claim 9, Mori further discloses an information processing apparatus according to claim 8, further comprising condition designation means for designating a reservation condition (i.e. delete time, table 1, col. 4, lines 26-65) for causing said print job management apparatus to reserve the reservation job data.

Regarding claim 10, Mori further discloses an information processing apparatus according to claim 9, wherein said reservation condition is a period of reservation (i.e. delete time, table 1, col. 4, lines 26-65, a print data will be deleted after a period of reservation is expired, col. 4, lines 26-65).

Regarding claim 11, Mori further discloses an information processing apparatus according to claim 9, wherein said reservation condition is a number of printing times (deleting after a prescribed number of times, col. 14, lines 1-8).

Regarding claims 12, Mori further discloses an information processing apparatus according to claim 8, wherein said reservation data generation means generates reservation data

including said print data of a device-dependent data format and intermediate data of a device-independent data format (it is known in the art that the print server of Mori can stores different print formats, such as PDF, EMF, RAW data, JPEG, and etc., and the printers of Mori also can also print different print data formats, col. 4, lines 4-67).

Regarding claim 13, Mori further discloses an information processing apparatus according to claim 12, further comprising: acquisition means for acquiring a list (table 1, col. 4, lines 40-50) of managed reservation data from said print job management apparatus; and re-print designation means (requesting for re-print, col. 5, lines 40-50) for designating the reservation data to be re-printed from said acquired list of the reservation data.

Regarding claim 14, Mori further discloses an information processing apparatus according to claim 13, wherein, in case of receiving the intermediate data from said print job management means according to a re-printing instruction by said re-print designation means, print data generation means corresponding to the printing apparatus to be used for re-printing is selected among plural print data generation means, and the print data for said printing apparatus to be used for re-printing are generated from said intermediate data (it is known in the art that the computer 20 of Mori can generates different print formats, such as PDF, EMF, RAW data, JPEG, and etc., and the printers of Mori also can also print different print data formats, col. 4, lines 4-67).

Regarding claim 15, Mori further discloses an information processing apparatus according to claim 14, wherein the print data generated at the re-printing of the intermediate data are reserved again (col. 10, lines 5-62) as the reservation job data in said print job management apparatus.

Regarding claims 16-22: Claims 16-22 are the method claims corresponding to the apparatus claims 1-7 (respectively). The method claims are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 1-7 above.

Regarding claims 23-30: Claims 23-30 are the method claims corresponding to the apparatus claims 8-15 (respectively). The method claims are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 8-15 above.

Claims 31-37, 46-52 corresponds to claims 1-7 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 3) for storing computer programs, hence claims 31-52 would be rejected using the same rationale as in claims 1-7.

Claims 38-45, 53-60 corresponds to claims 8-15 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have some type of computer readable memory medium (RAM, fig. 3) for storing computer programs, hence claims 31-52 would be rejected using the same rationale as in claims 8-15.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) U.S. 5970228 to Nezu, discloses an apparatus/method for printing system wherein the clients generate the print data and transmit to the print server. The clients also request the print server to reserve the print data for certain amount of time; and if the period of reservation is expired, the server automatically deletes the print data (Figs. 2-33, cols. 3-6, cols. 15-20, and cols. 25-30).

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).
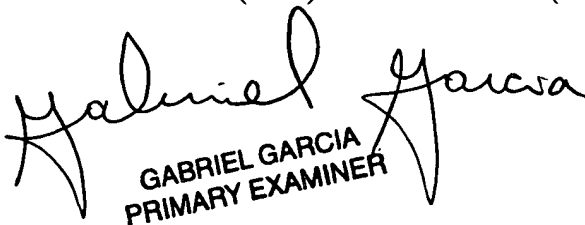
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

GABRIEL GARCIA
PRIMARY EXAMINER